

# Retention and Classification Report

**Agency:** District Court (Third District : Summit County) (1677)

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## **Records Officer**

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**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 26613

3

**TITLE:** Civil case files

**DATES:** 1896-

**ARRANGEMENT:** Numerical by case number.

**DESCRIPTION:**

Civil case files from Summit County covering approximately 1896-1955.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: For records beginning in 1896 through 1955. Retain in State Archives permanently with authority to weed.

Paper: For records beginning in 1956 and continuing to the present. Retain in Office for 8 years and then transfer to State Records Center. Retain in State Records Center for 52 years and then transfer to State Archives with authority to weed.

Microfilm master: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

Historical

Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. They enforce or protect private rights and prevent or redress private wrongs. The value of the judge's decrees and final judgments to parties in an action may well extend beyond their immediate administrative use.

**RETENTION JUSTIFICATION:**

**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 26613

**TITLE:** Civil case files

(continued)

Reduced years that records are kept in office before being sent to the Records Center, per request of ERO, in order to free up office space.

**PRIMARY CLASSIFICATION:**

Public

**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 26617

3

**TITLE:** Civil case index

**DATES:** Undated

**ARRANGEMENT:** Alphabetical by surname.

**DESCRIPTION:**

Comprised of two volumes, one indexing by plaintiff surname and the other by defendant surname.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in State Archives permanently with authority to weed.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in Office permanently.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

Historical

Based on their value in accessing historic civil case files from the district court in Summit County.

Reduced years that records are kept in office before being sent to the Records Center, per request of ERO, in order to free up office space.

**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 26617

**TITLE:** Civil case index

(continued)

**PRIMARY CLASSIFICATION:**

Public

**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 20095

3

**TITLE:** Criminal case files

**DATES:** 1907-

**ARRANGEMENT:** Numerical by case number.

**DESCRIPTION:**

Papers in cases in which prosecutions are brought for crimes in the name of the state on the assumption that the injury done is to the public generally.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: For records beginning in 1930 through 1955. Retain in State Archives permanently with authority to weed.

Paper: For records beginning in 1955 and continuing to the present. Retain in Office for 2 years and then transfer to State Records Center. Retain in State Records Center for 50 years and then transfer to State Archives with authority to weed.

**APPRAISAL:**

Historical

Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. They enforce or protect private rights and prevent or redress private wrongs. The value of the judge's decrees and final judgments to parties in an action may well extend beyond their immediate administrative use.

**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 20095

**TITLE:** Criminal case files

(continued)

Reduced years that records are kept in office before being sent to the Records Center, per request of ERO, in order to free up office space.

**PRIMARY CLASSIFICATION:**

Public

**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 28481

3

**TITLE:** Domestic Case Files

**DATES:** 1993-

**ARRANGEMENT:** case number

**DESCRIPTION:**

These case files from the Third District Court in Summit County document the legal process and the administration of justice in conjunction with a domestic proceeding for the determination of a controversy between parties wherein rights are enforced or protected, or wrongs are prevented or redressed. These cases cannot legally be called "criminal cases." Records and documents pertaining to a particular action are filed together by the court clerk, who is required by the Rules of Civil Procedure to file pleadings and other legal papers. Collectively they constitute the case file.

A domestic action commences with the filing of a complaint with the court or by service to the defendant of a summons together with a copy of the complaint. A unique case number is assigned by the court when the papers are filed with the clerk. The case file for a particular action includes the original complaint or summons together with all legal papers subsequently filed in connection with the court proceeding through disposition or dismissal. Included are such documents as: depositions (or written testimony), interrogatories (a pretrial discovery tool in which written questions are propounded by one party and served to the adversary, who must answer by written replies made under oath), answers, counter claims, replies, motions, petitions, affidavits (written statements made under oath before an officer of the court, notary public, or other authorized person), stipulations (an agreement between attorneys that concerns business before a court and is designed to simplify, shorten, or settle litigation and save costs), exhibit documents (written contracts, bills, receipts, etc.), notices, objections, citations, sheriff's certificates, judge's orders and rulings, judge's instructions to the jury, judge's findings of fact and conclusions of law, final decrees, judgments, and executions (the process of carrying into effect a court's judgment, decree, or order).

Transcripts (an official and certified copy of what transpired in court or at an out-of-court deposition) and exhibits (items of real evidence) are not included in the case files.

Petitions for divorce are the predominant type of action in the domestic case files. Custody and support, paternities, protective



**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 28481

**TITLE:** Domestic Case Files

(continued)

orders and cohabitation certified copy of what transpired in court or at an out-of-court deposition) and exhibits (items of real evidence) are not included in the case files.

**RETENTION:**

Retain 58 years then transfer to Archives

**DISPOSITION:**

Transfer to the State Archives permanently.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: For records beginning in 1993 and continuing to the present. Retain in Office for 8 years and then transfer to State Records Center. Retain in State Records Center for 50 years and then transfer to State Archives with authority to weed.

**APPRAISAL:**

Historical Legal

**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 28481

**TITLE:** Domestic Case Files

(continued)

Reduced years that records are kept in office before being sent to the Records Center, per request of ERO, in order to free up office space.

**PRIMARY CLASSIFICATION:**

Public

**SECONDARY CLASSIFICATION(S):**

Exempt.

Judicial records are public unless restricted under rules of civil procedure (UCA 63G-2-301-[1][f]). Included are custody proceedings, guardianship files, minutes, & probate records. Wills are generally

**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 23288

3

**TITLE:** Probate case files

**DATES:** 1871-

**ARRANGEMENT:** Numerical by case number.

**DESCRIPTION:**

These case files cover court actions in regard to adoptions, guardianships, and the estates of deceased persons.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office until administrative need ends and then transfer to State Records Center. Retain in State Records Center until 50 years after creation and then transfer to State Archives with authority to weed.

Microfilm master: Retain in State Archives permanently.

**APPRAISAL:**

Historical

Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. Because they enforce or protect private rights and prevent or redress private wrongs, the value of the judge's decrees and final judgments to parties in the action may well extend indefinitely.

Reduced years that records are kept in office before being sent to the Records Center, per request of ERO, in order to free up office space.

**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 23288

**TITLE:** Probate case files

(continued)

**PRIMARY CLASSIFICATION:**

Public

**SECONDARY CLASSIFICATION(S):**

Private.

Judicial records are public unless restricted under rules of civil procedure (UCA 63G-2-301-[1][f]). Included are custody proceedings, guardianship files, minutes, & probate records. Wills are generally

**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 26616

3

**TITLE:** Probate register index

**DATES:** 1871-1988

**ARRANGEMENT:** Alphabetical by first letter of surname.

**DESCRIPTION:**

Comprised of one volume labeled "Probate Index." Indexes the probate register of estate books (specifically books C to G).

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in State Archives permanently with authority to weed.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

Historical Legal

This series has historic and legal value as a tool for locating documentation of the disposition of estates and the legal standing of individuals.

Reduced years that records are kept in office before being sent to the Records Center, per request of ERO, in order to free up office space.

**PRIMARY CLASSIFICATION:**

Public

**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 26616

**TITLE:** Probate register index

(continued)

**SECONDARY CLASSIFICATION(S):**

Exempt.

This series contains information about adoptions, which are sealed for 100 years in accordance with UCA 78-30-15.

**AGENCY:** District Court (Third District : Summit County)

**SERIES:** 26620

1

**TITLE:** Transcripts

**DATES:** Undated

**ARRANGEMENT:** Unknown

**DESCRIPTION:**

Comprised of several transcript books from various court cases.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is proposed and has not yet been approved.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

Historical

Based on the status of these transcripts serving as the only record of this type surviving from the early part of the 20th century for the court.

Reduced years that records are kept in office before being sent to the Records Center, per request of ERO, in order to free up office space.

**PRIMARY CLASSIFICATION:**

Public